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Adoption of the report of the Committee on its fifty-seventh session

Draft report

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Addendum

Programme questions: evaluation
(Item 5 (b))

Report of the Office of Internal Oversight Services on the evaluation of the Office of the United Nations High Commissioner for Human Rights

1. At its 9th meeting, on 8 June 2017, the Committee considered the report of the Office of Internal Oversight Services (OIOS) on the evaluation of the Office of the United Nations High Commissioner for Human Rights (OHCHR) (E/AC.51/2017/9).

2. The Assistant Secretary-General for Internal Oversight Services introduced the report and, together with representatives of OIOS and the United Nations Deputy High Commissioner for Human Rights, responded to questions raised during its consideration by the Committee.

Discussion

3. Delegations expressed appreciation for the evaluation and noted the important role of OHCHR in promoting and protecting human rights across the world.

4. Several delegations commented on the scope of the evaluation. Noting that in the report it was pointed out that the involvement of resident coordinators was crucial for the mainstreaming of human rights, a delegation expressed the view that the report would be more balanced if it sufficiently reflected the crucial role of United Nations country teams in the area of human rights.

5. Several delegations expressed disappointment at the limited focus of the report on field activities and suggested that other important aspects should have been

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analysed, including the geographic imbalance of the composition of staff in OHCHR, the imbalanced manner in which OHCHR treated the different categories of human rights and the promotion of international cooperation for the promotion and protection of human rights. The view was also expressed that, by focusing only on field presences, the report focused solely on the developing world, contradicting the universality of the mandate of OHCHR. On the issue of gaps in geographic coverage of OHCHR in the field, a delegation noted that OHCHR did not cover most countries of Europe and North America and requested clarification on what steps were being taken to address that situation. Several delegations expressed the view that the focus on the field presences was timely in the light of the growth of the field presences in the past few years and the role of field offices in helping to draft national human rights laws, plans and policies. A delegation noted the important normative role of OHCHR and asked whether the treaty bodies were included as part of the report.

6. A delegation inquired whether OIOS had conducted an analysis of OHCHR management structures and how they had an impact on the work in the field. The view was expressed that the human resources structure of OHCHR was biased in favour of staff from Western Europe and other States and that that did not reflect the multiplicity of approaches to human rights. On the same topic of management structure, a delegation pointed to the work of human rights advisers and human rights components in peacekeeping operations and asked whether there were two standards of accountability. Clarification was sought on whether the fact that all staff of peacekeeping operations were subordinate to the heads of mission could undermine accountability.

7. On the evaluation methodology, a delegation stated that the results were based primarily on interviews with staff and other United Nations departments, whereas the main beneficiaries were Member States and therefore their views were the ultimate measuring stick for the effectiveness of OHCHR.

8. It was emphasized that all activities of OHCHR must strictly abide by the principles of the Charter of the United Nations and General Assembly resolution 48/141 on the High Commissioner for the promotion and protection of all human rights. A number of delegations stated that the establishment of field offices, including regional offices, must only happen upon the express request and consent of the host country. A delegation noted with concern that some field operations had been launched without the prior consent of Member States or countries. In that regard, the delegation stressed that OHCHR field offices should not play the role of "human rights police" but rather focus on technical assistance to Member States. Similarly, it was noted that the point made in the report of host countries not being receptive to criticism should be looked at from another perspective, since the goal of OHCHR was not to criticize but to help countries to fulfil their human rights obligations, particularly in difficult post-conflict situations when there were competing priorities. Therefore, with regard to recommendation 2, on the development of an overarching deployment strategy for OHCHR field presences, several delegations stressed that further considerations were necessary in the light of the fact that OHCHR could only establish field presences upon request.

9. While fully acknowledging the importance of human rights and the mainstreaming of human rights across all United Nations activities, a delegation expressed concern at the use of the term "human rights-based approach" and stressed that no intergovernmental consensus had been reached on the term, including during the negotiations the previous year in the context of the quadrennial comprehensive policy review of operational activities for development of the United Nations system. Another delegation expressed appreciation for the human rights-based approach. In relation to the presence of human rights advisers as part of United Nations country teams, a delegation requested clarification on the relationship of the advisers to the

"One United Nations" or "Delivering as one" approach, an approach that was not universally implemented, and expressed concern about promoting the presence of human rights advisers to the detriment of other agencies, funds and programmes.

10. Some reservations were expressed regarding recommendation 4, on strengthening the follow-up to special procedures of the Human Rights Council. In that regard, a delegation cited the judicial independence of countries. Another delegation questioned why OHCHR continued to employ and extend the mandate of special rapporteurs who were not accepted by countries. On the same issue, reference was made to paragraph 32 of the report, in which it was stated that no resources were dedicated to supporting the follow-up to recommendations of special procedures, and information was sought on what OHCHR intended to do to find resources.

11. A delegation noted that the 2030 Agenda for Sustainable Development was a new paradigm for all Member States, conveyed its disappointment at the absence of any references to the 2030 Agenda in the report and sought clarification on how the 2030 Agenda was being mainstreamed into the work of OHCHR.

12. A delegation expressed the view that the Committee should not lose sight of the important work carried out by OHCHR at its headquarters. It noted that human rights was the least funded of the three pillars of the United Nations and urged sufficient resources for OHCHR to ensure that it could deliver the important backstopping and support it provided for the Human Rights Council, the special procedures and the treaty bodies, as well as all other missions carried out at its headquarters. Clarification was sought on whether it was indeed the case that there were no dedicated resources for special procedures and whether OHCHR had any plans for rectifying the matter.

13. A delegation stressed that OHCHR should allocate current resources in a rational manner and promote all human rights in a balanced way. Reference was made to a reform initiative of the Office aimed at strengthening the field presence, and in that regard it was stressed that such reform initiatives must be undertaken in a transparent manner and in full consultation with Member States. Some delegations expressed disappointment that the reform initiative had initially been implemented without intergovernmental approval and stressed that no further action must be taken until a mandate was given to OHCHR.

14. A delegation noted the risk of earmarked funding compromising the neutrality of OHCHR and inquired about the reasons for the tendency of declining unearmarked funding, advancing, as a possible response, the preference of countries on having more control over where to spend their funds and their not agreeing with the priorities of OHCHR. In that regard, the view was expressed that OHCHR and instruments created by the Human Rights Council must be financed from the regular budget. Clarification was sought regarding OHCHR fundraising activities in the field and the question was asked of whether the goal of diversifying the donor pool had been achieved. Information was also sought on the role of headquarters and host Governments in fundraising activities and expanding the donor pool. It was noted that the report highlighted potential tensions between Office-wide priorities and donor priorities and the question was raised of whether OIOS had reviewed the OHCHR fundraising policy. Information was also sought on where OHCHR considered it needed more resources to better carry out its work in the field.

Conclusions and recommendations

15. **The Committee decided to defer consideration of the report of the Office of Internal Oversight Services on the evaluation of the Office of the United Nations High Commissioner for Human Rights (E/AC.51/2017/9) to its fifty-ninth session.**